

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SENDSIG, LLC,

Plaintiff,

CASE NO. 8:18-cv-00405

v.

TOAST, INC.,

Defendant.

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff, SendSig, LLC (“SendSig”) and Defendant, Toast, Inc. (“Toast”), by and through their respective undersigned counsel, hereby stipulate to the dismissal of the above-captioned lawsuit with prejudice. The parties state as follows:

1. On August 24, 2018, SendSig commenced an action for patent infringement against Toast by filing a complaint (the “Complaint”).
2. On November 15, 2018, Toast, Inc. timely filed its answer to the Complaint and asserted counterclaims against SendSig.
3. Plaintiff and Defendant have entered into a Confidential Settlement Agreement and Release, resolving all claims and counterclaims between them in this matter and requiring a dismissal of the matter with prejudice, with each party responsible for its own attorneys’ fees and costs.

4. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), SendSig and Toast hereby stipulate to the dismissal of this matter with prejudice, and each party to bear its own attorneys' fees and costs.

Respectfully submitted this 5th day of March, 2019.

Counsel to Plaintiff, SendSig, LLC

By: /s/ Cabrach J. Connor
Cabrach J. Connor
Jennifer T. Lee
Kevin S. Kudlac
CONNOR, KUDLAC LAW FIRM
609 Castle Ridge Road
Suite 450
Austin, TX 78746
(512) 777-1254
Fax: (888) 387-1134
cab@connorkudlaclee.com
jennifer@connorkudlaclee.com
kevin@connorkudlaclee.com

Counsel to Defendant, Toast, Inc.

By: /s/ Todd C. Kinney
Todd C. Kinney #21960
Jason S. Jackson #25030
KUTAK ROCK LLP
1650 Farnam Street
The Omaha Building
Omaha, NE 68102-2186
Tel: (402) 346-6000
Fax: (402) 346-1148
todd.kinney@kutakrock.com
jason.jackson@kutakrock.com

Srikanth Reddy, *Pro Hac Vice*
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, MA 02210
Tel: (617) 570-1465
Fax: (617) 523-1231
sredddy@goodwinlaw.com

David L. Simson, *Pro Hac Vice*
GOODWIN PROCTER LLP
601 Marshall Street
Redwood City, CA 94063
Tel: (650) 752-3124
Fax: (415) 384-6028
dsimson@goodwinlaw.com